

# SCHMITZBERGER SURRENDERS.

Judge Cowing Fixes the Accused Police Captain's Bail at \$7,500.

## IS INDICTED FOR BRIBERY.

Gannon, His Ex-Ward Man, Is Indicted on the Same Charge.

FLED TO IRELAND MONTHS AGO.

Policeman Schellenberger Gives Himself Up on a Charge of Assault.

Police Capt. Max Schmitzberger gave himself up this morning at the District Attorney's office and later was taken to the Criminal Court-House to give bail in the case of bribery, for which he was indicted yesterday.

Ex-Ward Man Gannon, now on the rolls of the Twenty-fourth Precinct, of which the station-house is in West Sixty-eighth street, was also indicted yesterday, but unless he is extradited from Ireland, he will never be tried.

It was discovered this morning that Gannon has been in Ireland for five months, and that he was there just after the exposure which implicated him were made before the Lexow Committee.

He was charged with receiving bribes in the same cases as those against his Captain, Schmitzberger, and was indicted yesterday for the same offense, and under the same sections of the Penal Code as those under which Schmitzberger was indicted.

Capt. Schmitzberger, accompanied by his lawyer, William F. Howe, arrived at the District Attorney's office at 10:45 o'clock. They went into the room of Detective-Sergeant R. J. von Gerichten, and waited there for the bail papers to be made out.

Capt. Schmitzberger had nothing to say except that he was innocent of the charge. Judge Cowing, who was to pass upon Schmitzberger's bail of \$7,500, arrived at the Court-House at 11 o'clock and went to his chambers.

Policeman Conrad Schellenberger, of the Bridge street station, also gave himself up. The words were these: "I am innocent of the charge."

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and Schmitzberger, as a public officer and captain of police, would and should be indicted therefor, and that the said Police Court should and should should, and in consideration of the said bribe and sum of money, so asked and received, and the said Schmitzberger, enforce the laws and ordinances of the city of New York at the pier of the Company (general). Translating more fully and faithfully than he otherwise would do, and was in duty bound to do as such public officer and captain of police, for the space of one year next ensuing.

The second count of the indictment charges him with felony, in that he did for the next year more fully and faithfully enforce the laws and ordinances of the city of New York at the pier of the Company (general). Translating more fully and faithfully than he otherwise would do, and was in duty bound to do as such public officer and captain of police, for the space of one year next ensuing.

## HOGAN'S QUEER RULING.

The Justice Refuses to Hold Prisoners Caught by Detectives.

John McKenna, Mike Duncan and William Conklin, all of 113 Macdonald street, were arraigned this morning at the Police Court in the case of the Lexow Committee. The charges were made by Central Office Detectives McNaught and Downing on complaint of people connected with the Western Union Telegraph Company.

The three men were alleged to be for a ball of the American District Telegraph Company's employees. A number had been sold to downtown merchants, and the victims complained to the company. Inspector McNaught detailed the detectives, who traced the swindlers to 113 Macdonald street, and caught them preparing tickets to be sold.

Justice Hogan sharply asked if the officers had procured warrants and then told them that he could not hold the prisoners. He said:

"I am a judge of the law, and I want them here before 12 o'clock. You go and take the men to the station, and I will see them there."

The detectives protested, for they had three prisoners and they were all powerful men. They took them about the city searching for complainants would be dangerous.

Justice Hogan was obdurate, and there was nothing left for the detectives to do but to go out of court with their prisoners. Everybody in court was astounded, and most of all, the detectives.

## MURPHY EXONERATED.

Lexow Witness Haffin's Charges Not Proved.

The Board of Excise to-day made public its report on the case of Jacob Haffin, saloon-keeper, of 163 East End avenue, who testified before the Lexow Committee that he had paid to Excise Inspector "Matt" Murphy, on March 2, \$10 as a bribe.

Murphy was exonerated, the Board deeming that the charges were not proven.

Policeman Zimmerman and Gronsky, of the East One Hundred and Fourth street station, were detailed by Capt. Cortright, of the Bridge street station, to arrest proprietors of cafes who sold food and drink to the saloon.

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# SUCCEEDS CAPRIVI.

Prince Von Hohenlohe Accepts the German Chancellorship.

He Has Been the Governor of Alsace-Lorraine.

## New Prussian Minister of the Interior Also Appointed.

(By Associated Press.)

BERLIN, Oct. 27.—Prince von Hohenlohe-Schillingfurst accepted the Chancellorship this afternoon, after first declining the honor.

Herr von Roellier, Under Secretary of the Interior of the Province of Alsace-Lorraine, succeeds Count Botho von Arnim as Prussian Minister of the Interior.

POTSDAM, Oct. 27.—Prince von Hohenlohe-Schillingfurst, Governor of Alsace-Lorraine, who is understood to have received an offer of the Chancellorship resigned by Gen. von Caprivi, arrived at Wilpark, this morning, from Strasbourg, accompanied by Herr von Koelliker, Under-Secretary of the Interior for the Province of Alsace-Lorraine.

Emperor William met the visitors at the station and drove with Prince von Hohenlohe, in an open carriage, to the new palace. Herr von Koelliker followed in a second carriage, with Lieut.-Col. Moitte, the Emperor's aide-de-camp.

Upon arriving at the Palace the Emperor and Prince von Hohenlohe had a conference in regard to the Ministerial crisis.

BERLIN, Oct. 27.—It is officially announced that the resignation of Count Botho von Arnim as Minister of the Interior has been accepted.

All the papers this morning express recognition of Count von Caprivi's high personal qualities.

The National Zeitung says it believes that the offices of Chancellor and Prussian Premier will be reunited, and that no other changes will occur in the Prussian Ministry.

The Vossische Zeitung says it fears that more is at stake than purely personal considerations.

LONDON, Oct. 27.—In a letter to the German situation The Times declines to accept the theory that the crisis means a return of the Emperor to a policy of exceptional repressive legislation, because that would amount to a confession that the dismissal of Prince Bismarck was a failure.

The Times says that whatever temporary ease might be purchased by such a surrender to reactionary influences, the consequences to Germany would be too grave to be lightly contemplated.

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# THE LONDON STAGE.

Mrs. Langtry and Her Company Leaving It Behind Them.

W. S. Gilbert's Epistolary Adventure with an Ohio Countess.

## Patti Finds a New Slinger—De Reszke as a Racehorse Owner.

(Copyright, 1904, by the Associated Press.)

LONDON, Oct. 27.—Mrs. Langtry and her company leave for New York to-day on board the American line steamship Paris. Among the members of this company are Misses Beatrice Selwyn, Leila, and Hall and Messrs. W. T. Lovell, Frank Fenton, Ivan Watson, Oscar Adye, Williamson and Weatherly.

During her American tour Mrs. Langtry will rely upon society plays at first, and later upon Shakespearean productions. She hopes to open in New York, if it is possible, to be followed there, but her programme is still unsettled.

After a period of wintry weather, London has recently been enjoying a few Spring-like days. This, coupled with the fact that people are nearly all back from the country, has served to crowd the leading theatres.

At the Criterion, for instance, it has been impossible to buy seats, except in advance, and the same may be said of the Comedy Theatre, the Court Theatre, Adelphi Theatre and a few others. In fact at some of these places of entertainment it has been impossible to buy seats a few days ahead.

The principal dramatic event of the week will be to-night's premiere of "His Excellency," at the Lyric Theatre, and it may be added that W. S. Gilbert has provided plenty of stimulating advertisement for this comic opera, which he has written in conjunction with Dr. Osmond Carr.

The week opened with Mr. Gilbert sending to the press a letter stating that a certain Comtesse de Bremond had applied to him for an interview to be published in St. Paul's. He added that he was "unwilling to put himself at the disposal of the good taste and discretion of this lady, who came to me by repute, and I replied that 'my terms for an interview are twenty guineas.'"

The Comtesse, treating this letter as a specimen of Gilbertian humor, replied: "I anticipate the pleasure of writing your obituary for nothing."

It is understood that the Comtesse de Bremond, who is a French noblewoman, and she doubtless has good Ohio blood in her veins, for she has determined apparently to give Mr. Gilbert a fight in return for his letter, as she has placed it in the hands of her solicitors, with the request that they will sue for a large sum of money.

Mr. Gilbert's demanding money for an interview is not an uncommon thing in London, where several members of Parliament, politicians, stock brokers, literary and others have made themselves notorious by their demands for a large sum of money.

The action of "His Excellency" passes at Elnor, Denmark, and deals with a freak of the Prince Regent, who pines himself off as a strolling player, and in his disguise plays many a prank upon the people.

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# TWO BROTHERS ACCUSED.

Tenants in the Same House Say the Boy Stole Jewelry.

Harry and Elias Hengsbarg, eighteen and nineteen years of age, respectively, of 56 East One Hundred and Eighteenth street, were charged in Harlem Court this morning with having stolen a gold watch, two silver watches, a gold locket and some silverware, altogether valued at \$300, from the apartments of Sarah Lieberman, at the same address.

The Hengsbargs lived over the Liebermans. The only evidence against the boys was the statement of Sarah Lieberman, a sister of Mrs. Lieberman, who said she saw Henry Hengsbarg coming out of her sister's flat with a plush jewel case in his hand on Wednesday last, the day of the robbery.

Henry was stopped on the jewel case, and when he was confronted by Mrs. Lieberman and accused of robbery, he said he was waiting for his sister to come home, and that he was carrying her jewelry.

Mrs. Lieberman said that last Thursday she was waiting for her sister to come home, and that she was carrying her jewelry.

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